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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,995	12/23/2005	Matthew P. J. Baker	GB 030140	1539

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BRIARCLIFF MANOR, NY 10510

EXAMINER

REGO, DOMINIC E

ART UNIT	PAPER NUMBER
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2618

MAIL DATE	DELIVERY MODE
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08/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/561,995	Applicant(s) BAKER ET AL.	
	Examiner Dominic E. Rego	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Objections

2. Claims 1,4,8, and 11 are objected to because of the following informalities:

Applicant uses the word "adapted to" to the above claims where claim scope is not

limited by claim language that suggests or makes optional but does not require steps to

be performed, or by claim language that does not limit a claim to a particular structure (See MPEP 2111.04 [R-3]; MPEP 2106 [R-5]). Appropriate correction is required.\

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 8, 11, and 13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant recites the limitations “the control means (150) is further adapted to scale by a scale factor the amplitude of the received transmit power control command prior to the measurement” are not described or found in the details description. Applicant stated the above limitations in the Summary of the invention in the same way as in the claims.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 1 recites the limitations “the amplitude” and “the received transmit power control command” in line 5, “the transmit power” in line 6, “the number of base station

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(200) in line 9, "the number of command" in line 11. There is insufficient antecedent basis for this limitation in the claim. Also, checks for similar problem in claims 4,6,8,11, and 13.

7. Claim 8 recites the limitations "the measurement" in line 9. There is insufficient antecedent basis for this limitation in the claim. Also check for similar problem in claim 11.

Drawings

8. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because they are not clean or clear enough. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saints et al. (US Patent #6,374,085) in view of Hwang et al. (US 2002/0115464).

Regarding claim 1, Saints teaches a mobile station (*Figure 1, element 12*) (100) for use in a radio communication system (50) comprising a plurality of base stations (*Figure 1, elements 16A and 16B*) (200), the mobile station (100) comprising transmitter means (110), receiver means (120) for receiving signals including transmit power control commands from the plurality of base stations (200) (*Col 2, lines 40-col 3, line 10*), control means (150) adapted to compare the amplitude of the received transmit power control commands with a reliability threshold (*Col 5, lines 4-14: Saints teaches power control processor 28 receives the power level signal from quality measurement circuit 26, compares the signal to an adjustable threshold*) and adapted to vary the transmit power of the transmitter means (110) in response to the comparison (*Col 5, lines 4-22: Saint teaches Power control processor 28 produces preferably several (e.g., 8 or 16) power control messages in response to several power level signals per frame, where each power control message can indicate a change in power for the forward link signal. For example, the power control message could be a binary value, where a "1" value requests base stations 16a or 16b to increase the gain of the forward link signal, while a "0" value requests that the signal be decreased*), wherein the control means (150) is further adapted to vary the reliability threshold (*Col 5, lines 4-15*) according to a function of one or more of:

the number of base stations (*Figure 1, 16A and 16B*) (200) from which the mobile station (*figure 1, element 12*) (100) receives transmit power control commands;

the number of commands to increase and/or decrease transmit power received in a preceding time period (*Col 2, line 53-col 3, line 10; Col 9, lines 5-30*);

a measured characteristic of signals received by the mobile station (100) (Col 4, lines 47-col 5, line 3), but fails to teach wherein a current transmit power offset is communicated to the mobile station.

However, in related art, Hwang teaches wherein a current transmit power offset is communicated to the mobile station (Paragraphs 0160 and 0161).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the above teaching of Hwang to saint in order to determine a signal level of common pilot channel and a dedicated pilot channel.

Regarding claim 2, the combination of Saints and Hwang teach all the claimed elements in claim 1. In addition, Saints teaches a mobile station (100), wherein the measured characteristic of signals received by the mobile station (100) is a measured characteristic of the received transmit power commands (Col 4, lines 47-col 5, line 3).

Regarding claim 3, the combination of Saints and Hwang teach all the claimed elements in claim 1. In addition, Saints teaches a mobile station, wherein the control means is adapted to apply different reliability thresholds to the transmit power control commands received from the different base stations (Col 2, lines 53-col 3, line 26).

Regarding claim 4, Saints teaches a radio communication system (50) comprising a plurality of base stations (*Figure 1, elements 16A and 16B*) (200) and at least one mobile station (100), each base station (200) having a receiver means (220) for receiving signals from the mobile station (*figure 1*) (100) and a transmitter means (210) for transmitting signals including transmit power control commands to the mobile station (*Col 2, lines 40-col 3, line 10*) (100), and the mobile station (100) having

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transmitter means (110), receiver means (120) for receiving signals including transmit power control commands from the plurality of base stations (200) (*Col 2, lines 40-col 3, line 10*), control means (150) adapted to compare the amplitude of the received transmit power control commands with a reliability threshold (*Col 5, lines 4-14: Saints teaches power control processor 28 receives the power level signal from quality measurement circuit 26, compares the signal to an adjustable threshold*) and adapted to vary the transmit power of the transmitter means in response to the comparison (*Col 5, lines 4-22: Saint teaches Power control processor 28 produces preferably several (e.g., 8 or 16) power control messages in response to several power level signals per frame, where each power control message can indicate a change in power for the forward link signal. For example, the power control message could be a binary value, where a "1" value requests base stations 16a or 16b to increase the gain of the forward link signal, while a "0" value requests that the signal be decreased*), wherein the control means is further adapted to vary the reliability threshold (*Col 5, lines 4-15*) according to a function of one or more of:

the number of base stations (200) (Figure 1, 16A and 16B) from which the mobile station (100) (figure 1, element 12) receives transmit power control commands;

the number of commands to increase and/or decrease transmit power received in a preceding time period (*Col 2, line 53-col 3, line 10; Col 9, lines 5-30*);

a measured characteristic of the signals received by the mobile station (100) (*Col 4, lines 47-col 5, line 3*), but fails to wherein a current transmit power offset is communicated to the mobile station.

However, in related art, Hwang teaches wherein a current transmit power offset is communicated to the mobile station (Paragraphs 0160 and 0161).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the above teaching of Hwang to saint in order to determine a signal level of common pilot channel and a dedicated pilot channel.

Regarding claim 5, the combination of Saints and Hwang teach all the claimed elements in claim 1. In addition, Saints teaches a radio communication system (50), wherein the control means (150) is adapted to apply different reliability thresholds to the transmit power control commands received from the different base stations (200) (Col 2, lines 53-col 3, line 26).

Regarding claim 6, Saints teaches a method of operating a radio communication system (50) comprising:

transmitting a signal from a mobile station (100); receiving the signal at a plurality of base stations (200) (figure 1);

at each base station (200), in response to receiving the signal, deriving transmit power control commands and transmitting a signal comprising the transmit power control commands (Col 2, lines 40-col 3, line 10); and

at the mobile station (100), receiving the transmit power control commands from the plurality of base stations (200), comparing the amplitude of the received transmit power control commands with a reliability threshold (Col 5, lines 4-14: *Saints teaches power control processor 28 receives the power level signal from quality measurement circuit 26, compares the signal to an adjustable threshold*), and adjusting the transmit

power of a mobile station transmitter (110) in response to the comparison, further comprising deriving the reliability threshold (Col 2, line 53-col 3, line 26) according to a function of one or more of:

the number of base stations (200) (Figure 1, 16A and 16B) from which the mobile station (100) (figure 1, element 12) receives transmit power control commands;

the number of commands to increase and/or decrease transmit power received in a preceding time period (Col 2, line 53-col 3, line 10; Col 9, lines 5-30);

a measured characteristic of the signals received by the mobile station (100) (Col 4, lines 47-col 5, line 3), but fails to teach wherein a current transmit power offset is communicated to the mobile station.

However, in related art, Hwang teaches wherein a current transmit power offset is communicated to the mobile station (Paragraphs 0160 and 0161).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the above teaching of Hwang to saint in order to determine a signal level of common pilot channel and a dedicated pilot channel.

Regarding claim 7, the combination of Saints and Hwang teach all the claimed elements in claim 1. In addition, Saints teaches a method, comprising applying different reliability thresholds to the transmit power control commands received from the different base stations (200) (Col 2, lines 53-col 3, line 26).

Regarding claim 8, as best understood in 112 1st, Saints teaches a mobile station (100) (Figure 1, element 12) for use in a radio communication system (50) comprising a plurality of base stations (200) (Figure 1, elements 16A and 16B), the

mobile station (100) comprising transmitter means (110), receiver means (120) for receiving signals including transmit power control commands from the plurality of base stations (200) (Col 2, lines 40-col 3, line 10), control means (150) adapted to compare the amplitude of the received transmit power control commands with a reliability threshold (Col 5, lines 4-14: *Saints teaches power control processor 28 receives the power level signal from quality measurement circuit 26, compares the signal to an adjustable threshold*) and adapted to vary the transmit power of the transmitter means in response to the comparison (Col 5, lines 4-22: *Saint teaches Power control processor 28 produces preferably several (e.g., 8 or 16) power control messages in response to several power level signals per frame, where each power control message can indicate a change in power for the forward link signal. For example, the power control message could be a binary value, where a "1" value requests base stations 16a or 16b to increase the gain of the forward link signal, while a "0" value requests that the signal be decreased*), wherein the control means (150) is further adapted to scale by a scale factor the amplitude of the received transmit power control commands prior to the measurement (Col 2, line 53-col 3, line 26: *Saints teaches the mobile station or receiver properly adjusts its forward link power level thresholds or measurements with which it compares incoming frames or portions of frames to reflect the quality or power level it anticipates receiving (after the aforementioned delay) in response to previously sent power adjustment commands. For example, the mobile station can recognize that at a given measurement time, two outstanding messages have not been executed by the remote transmitter (where each message indicates a corresponding increase of 1 dB).*

As a result, the mobile station can adjust its measurement threshold down by 2 dB to more closely correspond to future power adjustments. If the currently received frame or portion thereof is still below the readjusted threshold, then the mobile station sends out a new message to request a further increase in the power of the forward link channel. Conversely, if the received frame or portion of the frame is greater than the adjusted quality threshold, the mobile station does not request a further increase in power. The base station similarly sends messages over the forward link to the mobile station which indicate the quality or power level of the reverse link. As a result, the present invention can similarly be employed by the base station to properly adjust its reverse link quality level thresholds with which it compares incoming reverse link signals to reflect anticipated adjustments in the transmission power at the mobile station), and wherein the control means is further adapted to vary the scale factor according to a function of one or more of:

the number of base stations (200) (Figure 1, 16A and 16B) from which the mobile station (100) (figure 1, element 12) receives transmit power control commands;

the number of commands to increase and/or decrease transmit power received in a preceding time period (Col 2, line 53-col 3, line 10; Col 9, lines 5-30);
a measured characteristic of the signals received by the mobile station (100) (Col 4, lines 47-col 5, line 3), but fails to teach wherein a current transmit power offset is communicated to the mobile station.

However, in related art, Hwang teaches wherein a current transmit power offset is communicated to the mobile station (Paragraphs 0160 and 0161).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the above teaching of Hwang to saint in order to determine a signal level of common pilot channel and a dedicated pilot channel.

Regarding claim 9, Saints teaches a mobile station (100), wherein the measured characteristic of signals received by the mobile station (100) is a measured characteristic of the received transmit power commands (Col 4, lines 47-col 5, line 3).

Regarding claim 10, the combination of Saints and Hwang teach all the claimed elements in claim 1. In addition, Saints teaches a mobile station (100), wherein the control means (150) is adapted to apply different reliability thresholds to the transmit power control commands received from the different base stations (200) (Col 2, lines 53-col 3, line 26).

Regarding claim 11, Saints teaches a radio communication system (50) comprising a plurality of base stations (200) (*Figure 1, elements 16A and 16B*) and at least one mobile station (100), each base station (200) having a receiver means (220) for receiving signals from the mobile station (100) (*figure 1*) and a transmitter means (210) for transmitting signals including transmit power control commands to the mobile station (100) (*Col 2, lines 40-col 3, line 10*), and the mobile station (100) having transmitter means (110), receiver means (120) for receiving signals including transmit power control commands from the plurality of base stations (200) (*Col 2, lines 40-col 3, line 10*), control means (150) adapted to compare the amplitude of the received transmit power control commands with a reliability threshold (*Col 5, lines 4-14: Saints teaches power control processor 28 receives the power level signal from quality measurement*

circuit 26, compares the signal to an adjustable threshold) and adapted to vary the transmit power of the transmitter means in response to the comparison (Col 5, lines 4-22: Saint teaches Power control processor 28 produces preferably several (e.g., 8 or 16) power control messages in response to several power level signals per frame, where each power control message can indicate a change in power for the forward link signal. For example, the power control message could be a binary value, where a "1" value requests base stations 16a or 16b to increase the gain of the forward link signal, while a "0" value requests that the signal be decreased), wherein the control means is further adapted to scale by a scale factor the amplitude of the received transmit power control commands prior to the measurement (Col 2, line 53-col 3, line 26: Saints teaches the mobile station or receiver properly adjusts its forward link power level thresholds or measurements with which it compares incoming frames or portions of frames to reflect the quality or power level it anticipates receiving (after the aforementioned delay) in response to previously sent power adjustment commands. For example, the mobile station can recognize that at a given measurement time, two outstanding messages have not been executed by the remote transmitter (where each message indicates a corresponding increase of 1 dB). As a result, the mobile station can adjust its measurement threshold down by 2 dB to more closely correspond to future power adjustments. If the currently received frame or portion thereof is still below the readjusted threshold, then the mobile station sends out a new message to request a further increase in the power of the forward link channel. Conversely, if the received frame or portion of the frame is greater than the adjusted quality threshold, the mobile

station does not request a further increase in power. The base station similarly sends messages over the forward link to the mobile station which indicate the quality or power level of the reverse link. As a result, the present invention can similarly be employed by the base station to properly adjust its reverse link quality level thresholds with which it compares incoming reverse link signals to reflect anticipated adjustments in the transmission power at the mobile station), and wherein the control means (150) is further adapted to vary the scale factor according to a function of one or more of:

the number of base stations (200) (Figure 1, 16A and 16B) from which the mobile station (100) (figure 1, element 12) receives transmit power control commands;

the number of commands to increase and/or decrease transmit power received in a preceding time period (Col 2, line 53-col 3, line 10; Col 9, lines 5-30);

a measured characteristic of the signals received by the mobile station (100) (Col 4, lines 47-col 5, line 3), but fails to teach wherein a current transmit power offset for a field containing the downlink transmit power control commands relative to the power of one or more downlink pilot bits is communicated to the mobile station.

However, in related art, Hwang teaches wherein a current transmit power offset for a field containing the downlink transmit power control commands relative to the power of one or more downlink pilot bits is communicated to the mobile station (Paragraphs 0160 and 0161).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the above teaching of Hwang to saint in order to determine a signal level of common pilot channel and a dedicated pilot channel.

Regarding claim 12, Saints teaches a radio communication system (50), wherein the control means (150) is adapted to apply different reliability thresholds to the transmit power control commands received from the different base stations (200) (Col 2, lines 53-col 3, line 26).

Regarding claim 13, Saints teaches a method of operating a radio communication system (50) comprising:

transmitting a signal from a mobile station (100); receiving the signal at a plurality of base stations (200) (figure 1);

at each base station (200), in response to receiving the signal, deriving transmit power control commands and transmitting a signal comprising the transmit power control commands (Col 2, lines 40-col 3, line 10);

at the mobile station (100), receiving the transmit power control commands from the plurality of base stations (200) (Col 5, lines 4-14: *Saints teaches power control processor 28 receives the power level signal from quality measurement circuit 26, compares the signal to an adjustable threshold*), scaling by a scale factor the received transmit power control commands, comparing the amplitude of the scaled received transmit power control commands with a reliability threshold and adjusting the transmit power of the mobile station transmitter in response the comparison (Col 2, line 53-col 3, line 26; Col 5, lines 4-33: *Saints teaches power control processor 28 receives the power level signal from quality measurement circuit 26, compares the signal to an adjustable threshold*), further comprising deriving the scale factor according to a function of one or more of:

the number of base stations (200) (Figure 1, 16A and 16B) from which the mobile station (100) (figure 1, element 12) receives transmit power control commands;

the number of commands to increase and/or decrease transmit power received in a preceding time period (Col 2, line 53-col 3, line 10; Col 9, lines 5-30);

a measured characteristic of the signals received by the mobile station (100) Col 4, lines 47-col 5, line 3), but fails to teach wherein a current transmit power offset is communicated to the mobile station.

However, in related art, Hwang teaches wherein a current transmit power offset is communicated to the mobile station (Paragraphs 0160 and 0161).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the above teaching of Hwang to saint in order to determine a signal level of common pilot channel and a dedicated pilot channel.

Regarding claim 14, Saints teaches a method, comprising applying different reliability thresholds to the transmit power control commands received from the different base stations (200) (Col 2, lines 53-col 3, line 26).

Response to Arguments

11. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dominic E. Rego whose telephone number is 571-272-8132. The examiner can normally be reached on Monday-Friday, 8:30 am-5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Dominic E. Rego


NAY MAUNG

SUPERVISORY PATENT EXAMINER